

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Gregory B. Monaco, etc., et ano.,

CV-98-3386 (CPS)

Plaintiffs,

- against -

ORDER

Sharon Carpinello, etc., et ano.,

Defendants.

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This Court approved the preliminary settlement of plaintiffs and defendant Benjamin Chu, in his official capacity as the Director of the New York City Health and Hospitals Corporation ("HHC"), on June 1, 2006. On November 3, 2006, the parties requested that they be permitted to serve notice by publication. On November 8, 2006, the parties requested that this Court approve their form of notice. For the reasons set forth in this Court's Memorandum and Order of November 22, 2006, notice by publication of the proposed form of notice is approved, subject to the following terms.

The proposed notice shall be modified to include reference to the option of opting-out of the class;

Notice shall be published in Mental Health News, New York City Voices, The Daily News and El Diario, as well as posted in every emergency room and admissions unit of every HHC facility covered by this lawsuit;

Notice shall be published in the above listed publications on December 26, 2006 and again on January 26, 2007;

A fairness hearing will be held in Courtroom No. 6A South, United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, at 4:30 p.m. on February 26, 2007.

The Clerk is directed to transmit a copy of the within to all parties.

SO ORDERED.

Dated : Brooklyn, New York
November 27, 2006

By: /s/ Charles P. Sifton (electronically signed)
United States District Judge